

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

RICHARD NELLES,

Plaintiff,

Case No. 18-cv-1373 (JNE/DTS)

v.

**ORDER**

AT HOME APARTMENTS, LLC; DAVID LINDAU; and JENNY DEVORE,

Defendants.

---

This matter is before the Court on a Report and Recommendation (“R&R”) issued by United States Magistrate Judge David T. Schultz on June 12, 2018. No objection to the R&R has been received. The Court has reviewed the record. Based on that review, the Court agrees with the R&R’s conclusion that the complaint must be dismissed for lack of subject matter jurisdiction.

Therefore, IT IS ORDERED THAT:

1. This matter is DISMISSED WITHOUT PREJUDICE.
2. Plaintiff’s application to proceed in forma pauperis [ECF No. 3] is DENIED AS MOOT.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 7, 2018

s/ Joan N. Erickson  
JOAN N. ERICKSEN  
United States District Judge